

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 04 October 2018

Public Authority: Royal Holloway, University of London
Address: Egham Hill
Egham
Surrey
TW20 0EX

Decision (including any steps ordered)

1. The complainant requested information regarding the gate at Spring Rise from the Royal Holloway, University of London (the University). The Commissioner's decision is that the public authority did not deal with the request in accordance with the FOIA because it provided its response outside the statutory 20 working days. It has therefore breached section 10(1) of the FOIA. As the information has been provided, the Commissioner does not require any steps to be taken.

Request and response

2. On 16 November 2017 the complainant requested the following information:

Spring Rise gate:

...while the article [in Community Matters] states that the gate will be initially opened on a trial basis, it fails to provide full details of what the parameters of this trial will be, or how and when the trial will be assessed. Could you then please provide me with full details of this trial?

Specifically, can you please let me know the date on which it will finish and the opening hours of the gate during this trial? Also, can you please let me know how the college will be monitoring the behaviour of

the users of the gate: what methods will be used, on what dates and at what times? Also, how – exactly – will be college be monitoring noise levels?

Further, the article states that behaviour that disturbs or causes nuisance will not be tolerated. Can you please confirm that the disturbances and noise nuisance mentioned includes disturbances and noise nuisance to local residents and, if so, how should those residents report such incidents? Finally, what methods will be used to identify the perpetrators of any such anti-social behaviour or excessive noise so reported?

3. The complainant contacted the University again on 11 January and 2 February 2018. He also contacted his MP on 3 February 2018.
4. The University responded on 5 and 14 March 2018. It apologised for the 'internal oversight' which caused the breach as part of its internal review. It also provided the requested information.

Scope of the case

5. The complainant contacted the Commissioner on 19 March 2018 to complain about the way his request for information had been handled.
6. During the Commissioner's investigation, which noted that the requested information had already been disclosed, the Commissioner contacted the complainant to seek an informal closure. The complainant advised that he remained dissatisfied and required a decision notice to record the delay in obtaining a response.
7. The Commissioner therefore considers that the scope of the case is to determine whether the University has complied with section 10.

Reasons for decision

8. Section 10 of the FOIA provides that a public authority must comply with section 1(1) promptly and no later than the twentieth working day following the date of receipt. The Commissioner has found a breach of section 10 in this case because the public authority did not respond to the request for information within 20 working days.

Right of appeal

9. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

10. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
11. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Pamela Clements
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SK9 5AF